



PATENT
Attorney Docket No. P1567US00

#10
8/1/03
Awr

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. CALVILLO
Serial No.: 09/442,048
Filed: November 16, 1999
Title: SITE HOME NAVIGATION CONTROL

Examiner: Debbie M. Le
Group Art Unit: 2177
Docket: P1567US00

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

JUL 31 2003
Technology Center 2100

APPELLANT'S BRIEF ON APPEAL

This is an appeal from the Final Office Action dated November 25, 2002, finally rejecting claims 1-46.

(1) REAL PARTY IN INTEREST

The real party in interest is Gateway, Inc.

(2) RELATED APPEALS AND INTERFERENCES

Appellant is not aware of any related appeals or interferences.

(3) STATUS OF CLAIMS

The status of the claims is as follows:

Claims allowed: none

Claims objected to: none

Claims rejected: Claims 1-46.

00000004 500439 09442048

250.00 25

(4) STATUS OF AMENDMENTS AFTER FINAL

There have been no amendments proffered after the Final Office Action.

(5) SUMMARY OF INVENTION

Applicant's invention relates to methods and systems for locating and navigating to the site home of a network site in an information network such as the Internet, an Intranet, or the like from a site page within the network site.¹ In some exemplary embodiments, the method includes the steps of receiving a request to navigate from a site page to the site home of the network site, determining a site home for the network site, and when a site home is found for the network site, navigating to the site home in response to the received request so information provided by the site home may be communicated to a user.² The method may be implemented as a program of instructions storable on a medium readable by an information handling system for causing the information handling system to perform the steps of the method..

(6) ISSUES

Whether the Patent Office properly rejected Claims 1-43 under 35 U.S.C. §102(e) as being unpatentable in view of U.S. Patent No. 6,336,116 (Brown)?

Whether the Patent Office properly rejected Claims 44-46 under 35 U.S.C. §103(a) as being unpatentable in view of the Brown patent and further in view of U.S. Patent No. 6,226,655 (Borman)?

(7) GROUPING OF CLAIMS

For each ground of rejection that appellant contests herein which applies to more than one claim, such additional claims, to the extent separately identified and argued below, do not stand and fall together.

The Claims are at least as distinguishable as grouped below:

Group I: Claims 1, 4-16, and 19-43.

¹ Abstract.

² See, for example, the specification at page 5 and Figure 1.

Group II: Claims 44, 45 and 46.

Group III: Claims 2 and 17.

Group IV: Claims 3 and 18.

(8) ARGUMENT

GROUP I: Claims 1, 4-16, and 19-43.

The Office Action includes a rejection of claims 1-43 under 35 U.S.C. §102(e) in view of U.S. Patent 6,336,116 ("Brown"). This rejection is respectfully traversed, for at least the reasons set forth in the discussion provided below. In particular, it is respectfully submitted that the Brown patent does not disclose "determining a site home for the network site," as recited in each of independent claims 1, 16 and 43 or a "program of instructions for configuring the information handling system to determine and navigate to a site home of a network site in the information network from a site page within the network site," as recited in independent claim 31.

The present invention involves methods and systems for locating and navigating to a site home of a network site (e.g., to an Internet home page). As discussed in the Background of the present application, with conventional systems, the ability of users to navigate to the site home of a network site from another page within the site is dictated exclusively by the author of the network site. Unfortunately, many authors do not provide a "home" navigation mechanism to aid users in reaching the site home or home page. When a user enters such a site to a page other than the home page (for example, by using a search engine to jump to a page with specific content) it can be difficult to navigate to the site's home page using conventional systems. Even if the author chooses to include a home site navigation mechanism, it may be configured in any number of formats, e.g., soft-buttons, display tabs, or drop down menus having various labels and differing screen locations. In some instances, the user of a conventional navigation system—if any is provided—may be required to pass through intermediate pages to get to the home site. Thus, even though a website may have a conventional home site navigation mechanism installed, a user must first figure how to use it and may be required to take a circuitous route back to the site home. The present invention overcomes these drawbacks.

The present invention allows a user to easily and conveniently navigate to the site home—even though the user may have entered the site at a point other than the home site, and regardless of whether or not the site may be equipped with some sort of conventional mechanism indicating a path to the site home. Various embodiments of the present invention provide the aforementioned advantages of home site navigation to users. For example, the user's browser can be configured with a site home navigation button 302 similar to the one shown in Figure 3A. This exemplary embodiment of the present invention provides the added advantage of navigation consistency from one site to the next, even though some sites may have no home site navigation mechanism while others may have one of various home site navigation mechanisms in place. Consequently, by using the present invention, a user will be provided with a consistent system for navigating to the site home (e.g., the home navigation button 302 of Figure 3A). By contrast, with conventional site-specific systems a user would be required to determine whether a particular site has any home navigation mechanism in place, and then figure out the specifics of that mechanism.

The Office Action relies upon the Brown patent, asserting that Brown teaches all claimed features of the present invention. This assertion is respectfully traversed.

The Brown patent involves a method for searching a specified host system, and providing an index to that host system. The system described in the Brown patent is intended to be useful “for identifying which documents in a database contain user-specified data.”³ This is done, according to Brown, by providing a list of documents from a particular database (or website) which contains the search text specified by the user. The Brown patent outlines additional site-specific search capabilities, stating that the Brown system “makes it possible to display excerpts (i.e., segments) from each document found in the search.”⁴ However, the system described in the Brown patent does not determine which page or entry point URL of a website is the home page. In fact, the Brown patent does not distinguish a site's home page from any other page or entry point URL of the site. The Brown patent does not even mention home pages or home sites. Instead, the Brown patent outlines a manual registration process in which a person acting as a system administrator sends out forms to collect

³ Brown, col. 3, lines 20-21.

⁴ Brown, col. 3, lines 62-64.

optional information including contact information and entry points URLs of a website. The Brown patent's manual registration process is described as follows:⁵

Prior to performing site-specific searching using the present invention, it is necessary for a Web site provider to set up an account. FIGS. 4 and 5 show how this is done. More specifically, as shown in FIG. 5, a Web site provider's representative, such as their system administrator, issues request 40, over network 41 (e.g., the Internet), to a host computer system running search and index hosting application 39. In response, search and index hosting 39 retrieves Web page forms required to set up a new account from storage 42, and transmits these forms back to the provider's representative, where the forms are displayed on the representative's computer. As shown in FIG. 5, displayed form 44 requests "contact" information, (e.g., information regarding the provider's Web site) and entry point URLs for the site. This contact information may be input in step S401 of FIG. 4.

The system administrator of the Brown system does not determine which of the multiple entry point URLs, if any, is a home site during the aforementioned procedure for gathering and inputting contact information.⁶ In fact, the contact information and entry point URLs are not necessary to practice Brown's site-specific indexing system. The Brown patent states that, "[o]f course, the invention is not limited to using three entry point URLs, and even can be used without entering the contact information."⁷

Accordingly, the Brown patent does not disclose "determining a site home for the network site," as recited in each of claims 1, 16 and 43 or a "program of instructions for configuring the information handling system to determine and navigate to a site home of a network site in the information network from a site page within the network site," as recited in claim 31.

GROUP II: Claims 2 and 17.

The Office Action includes a rejection of claims 44-46 under 35 U.S.C. §103(a) as being unpatentable in view of the Brown patent and further in view of the Borman patent. This rejection is respectfully traversed.

As discussed above in regard to the claims of Group I, the Brown patent does not disclose features of the claimed invention, in particular, the recited features of the

⁵ Brown, col. 5, line 65 to col. 6, line 13.

⁶ Brown, col. 5, line 65 to col. 6, line 12.

⁷ Brown, col. 6, line 21-23.

independent claims. The Office Action relies upon the secondarily cited Borman patent to purportedly disclose a claimed feature which the Office Action acknowledges is not taught by the Brown patent, namely, “provid[ing], as part of a browser display, a graphical user interface button configured to receive requests to navigate the site home of the network site,” as recited in claim 44, claim 45, and claim 46.

First, it is respectfully submitted that the Borman patent does not overcome the aforementioned deficiencies of the Brown patent. The Borman patent recognizes that once “a user has drilled-down through many levels of sites, the only way to return to the original HTML file is to hit the browser's back key which moves the user up one level at a time through the original search tree back to level ‘1.’”⁸ In an effort to overcome this problem, the Borman patent provides hot links to various sites which have been visited by the user’s browser. However, the Borman patent is not concerned with, nor does it recognize whether, any of one of the sites visited by the user is the site home for a particular website. Consequently, the Borman patent does not overcome the deficiencies of the Brown patent. It is therefore respectfully submitted that the Brown patent and the Borman patent, taken either singly or as a hypothetical combination, do not teach or suggest the features of the independent claims, in particular, “determining a site home for the network site,” as recited in each of claims 1, 16 and 43 or a “program of instructions for configuring the information handling system to determine and navigate to a site home of a network site in the information network from a site page within the network site,” as recited in claim 31.

Second, it is submitted that the Borman patent does not teach or suggest the features of claims 44-46. The Office Action relies upon home button 414, as shown in Figures 4-6 or the Borman patent. However, home button 414 does not take a user to the site home of the website which is being visited, it instead takes the user back to their browser’s home page. In fact, the Borman patent expressly states that “[h]ome button 414 allows the user to return to their home page 900 in the browser window.”⁹ Furthermore, other embodiments of the Borman patent mention returning a user to level “1” of a site being visited. A level “1” site, as used in the Borman patent, is

⁸ Borman, col. 2, lines 55-59.

⁹ Borman, col. 7, lines 40-41 (emphasis added).

apparently one of the several entry point URLs associated with a particular site, since Borman mentions that a site may have more than one level “1” site identifiers.¹⁰ It is therefore respectfully submitted that the Brown patent and the Borman patent, taken either singly or as a hypothetical combination, do not teach or suggest “provid[ing], as part of a browser display, a graphical user interface button configured to receive requests to navigate the site home of the network site,” as recited in claims 44-46.

GROUP III: Claims 2 and 17.

Claims 2 and 17 are respectfully submitted to be patentable for the reasons set forth in regard to the claims of Group I. In addition, it is submitted that the Brown patent does not disclose “wherein a site home is not found for the network site, communicating to the user that the site home was not found,” as recited in claims 2 and 17. The Brown patent is not concerned with site homes, and therefore does not communicate to the user that the site home was not found. Neither the relied upon passages of the Brown patent—that is, col. 6, 45-55 and col. 8, lines 31-41—nor any other passage of Brown disclose the features of claims 2 and 17. Therefore, it is respectfully submitted that the pending rejection cannot properly be maintained.

GROUP IV: Claims 3 and 18.

Claims 3 and 18 are respectfully submitted to be patentable for the reasons set forth in regard to the claims of Group I. In addition, it is submitted that the Brown patent does not disclose “wherein the step of determining a site home for the network site further comprises locating the address of the site home by identifying a characteristic label assigned to the site home,” as recited in claim 3 and 18. The Brown patent is not concerned with site homes, and therefore does not locate the address of the site home by identifying a characteristic label assigned to the site home. Further, the Brown patent does not even determine the site home itself, as discussed above in regard to the claims of Group I. Neither the relied upon passages of the Brown patent—that is, col. 8, 42-67 and col. 9, lines 34-54—nor any other passage of

¹⁰ Borman, Abstract, col. 3, lines 10-12, lines 32-33, and lines 56-58.

Brown disclose the features of claims 3 and 18. Therefore, it is respectfully submitted that the pending rejection cannot properly be maintained.

CONCLUSION

Accordingly, reversal of all outstanding rejections is earnestly solicited.

Respectfully submitted,

GATEWAY, INC.,

Dated: July 25, 2003

By: Scott Charles Richardson
Scott Charles Richardson
Reg. No. 43,436

Scott Charles Richardson
GATEWAY, INC.
610 Gateway Drive, MS Y-04
North Sioux City, SD 57049
(605) 232-1967 telephone
(605) 232-2612 facsimile

(9) CLAIMS

1 1. A method for locating and navigating to a site home of a network site
2 in an information network from a site page within the network site, comprising:
3 receiving a request to navigate from a site page to a site home of the network
4 site;
5 determining a site home for the network site; and
6 wherein a site home is found for the network site, navigating to the site home
7 in response to the received request.

1 2. The method as claimed in claim 1, further comprising the step of
2 wherein a site home is not found for the network site, communicating to the user that
3 the site home was not found.

1 3. The method as claimed in claim 1, wherein the step of determining a
2 site home for the network site further comprises locating the address of the site home
3 by identifying a characteristic label assigned to the site home.

1 4. The method as claimed in claim 3, wherein the step identifying a
2 characteristic label further comprises:
3 retrieving a hypertext markup language (HTML) <Header> metatag associated
4 with the site page;
5 determining if HTML <Header> metatag includes a <Title/> tag;
6 determining if the <Title/> tag includes a characteristic label;
7 determining that the site page is the site home, if the <Title/> tag includes a
8 characteristic label; and
9 searching a server serving up the network site for the characteristic label, if the
10 HTML <Header> metatag does not include a <Title/> tag or the
11 <Title/> tag does not include a characteristic label.

1 5. The method as claimed in claim 4, wherein the characteristic label
2 comprises at least one of index.htm, index.html, default.htm, default.html, home.htm,
3 and home.html.

1 6. The method as claimed in claim 1, wherein the step of determining a
2 site home for the network site further comprises:
3 reading the address of the site page wherein the address comprises at least two
4 address components and a separator for separating the address
5 component from other components of the address; and
6 parsing the address of the site page into its constituent address components
7 wherein one of the parsed address components comprises the address
8 of the site home.

1 7. The method as claimed in claim 6, wherein the address comprises the
2 uniform resource locator (URL) of the site page.

1 8. The method as claimed in claim 7, wherein the separator comprises at
2 least one of a slash ("/") and a double slash ("/") and wherein the address of the site
3 home is separated from the rest of the uniform resource locator (URL) of the site page
4 by a leading double slash ("/") and a trailing slash ("/").

1 9. The method as claimed in claim 1, wherein the step of determining a
2 site home for the network site further comprises:
3 reading the address of the site page wherein the address comprises at least two
4 address components each separated by a separator; and
5 parsing the address of the site page into the one or more address components;
6 comparing each of the parsed address components to an index of stored site
7 home addresses wherein the parsed address component matching a
8 stored site home address comprises the address of the site home.

1 10. The method as claimed in claim 9, wherein the address comprises a
2 uniform resource locator (URL) associated with the site page.

1 11. The method as claimed in claim 10, wherein the separator comprises at
2 least one of a slash ("/") and a double slash ("//") and wherein the address of the site
3 home is separated from other address components of the uniform resource locator
4 (URL) of the site page by a leading double slash ("//") and a trailing slash ("/").

1 12. The method as claimed in claim 1, wherein the step of determining the
2 site home for the network site further comprises:
3 detecting if a site map exists for the network site; and
4 interrogating the site map to identify an address of the site home from the site
5 map, if a site map is detected.

1 13. The method as claimed in claim 12, wherein the address comprises a
2 uniform resource locator (URL) associated with the site home.

1 14. The method as claimed in claim 1, wherein the step of determining the
2 site home for the network site further comprises:
3 retrieving a hypertext markup language (HTML) <Header> metatag associated
4 with the site page; and
5 determining if the hypertext markup language (HTML) <Header> metatag
6 includes a site home tag for identifying the site home for the network
7 site.

1 15. The method as claimed in claim 1, wherein the step of receiving a
2 request to navigate from a site page to the site home of the network site comprises
3 detecting invocation of a site home navigation control.

1 16. A program of instructions storable on a medium readable by an
2 information handling system for causing the information handling system to execute
3 steps for locating and navigating to a site home of a network site in an information
4 network from a site page within the network site, the steps comprising:
5 receiving a request to navigate from a site page to the site home of the network
6 site;
7 determining a site home for the network site; and
8 navigating to the site home in response to the received request, if a site home
9 is found for the network site;
10 whereby information provided by the site home may be communicated to a
11 user.

1 17. The program of instructions as claimed in claim 16, further comprising
2 the step of wherein a site home is not found for the network site, communicating to
3 the user that the site home was not found.

1 18. The program of instructions as claimed in claim 16, wherein the step of
2 determining a site home for the network site further comprises locating the address of
3 the site home by identifying a characteristic label assigned to the site home.

1 19. The program of instructions as claimed in claim 18, wherein the step
2 identifying a characteristic label further comprises:
3 retrieving a hypertext markup language (HTML) <Header> metatag associated
4 with the site page;
5 determining if HTML <Header> metatag includes a <Title/> tag;
6 determining if the <Title/> tag includes a characteristic label;
7 determining that the site page is the site home, if the <Title/> tag includes a
8 characteristic label; and
9 searching a server serving up the network site for the characteristic label, if the
10 HTML <Header> metatag does not include a <Title/> tag or the
11 <Title/> tag does not include a characteristic label.

1 20. The program of instructions as claimed in claim 19, wherein the
2 characteristic label comprises at least one of index.htm, index.html, default.htm,
3 default.html, home.htm, and home.html.

1 21. The program of instructions as claimed in claim 16, wherein the step of
2 determining a site home for the network site further comprises:
3 reading the address of the site page wherein the address comprises at least one
4 address components and a separator for separating the address
5 component from other components of the address; and
6 parsing the address of the site page into its constituent address components
7 wherein one of the parsed address components comprises the probable
8 address of the site home.

1 22. The program of instructions as claimed in claim 21, wherein the
2 address comprises the uniform resource locator (URL) of the site page.

1 23. The program of instructions as claimed in claim 22, wherein the
2 separator comprises at least one of a slash ("/") and a double slash ("//") and wherein
3 the address of the site home is separated from the rest of the uniform resource locator
4 (URL) of the site page by a leading double slash ("//") and a trailing slash ("/").

1 24. The program of instructions as claimed in claim 16, wherein the step of
2 determining a site home for the network site further comprises:
3 reading the address of the site page wherein the address comprises at least one
4 address components each separated by a separator; and
5 parsing the address of the site page into the one or more address components;
6 comparing each of the parsed address components to an index of stored site
7 home addresses wherein the parsed address component matching a
8 stored site home address comprises the address of the site home.

1 25. The program of instructions as claimed in claim 24, wherein the
2 address comprises a uniform resource locator (URL) associated with the site page.

1 26. The program of instructions as claimed in claim 25, wherein the
2 separator comprises at least one of a slash ("/") and a double slash ("//") and wherein
3 the address of the site home is separated from other address components of the
4 uniform resource locator (URL) of the site page by a leading double slash ("//") and a
5 trailing slash ("/").

1 27. The program of instructions as claimed in claim 16, wherein the step of
2 determining the site home for the network site further comprises:
3 detecting if a site map exists for the network site; and
4 interrogating the site map to identify an address of the site home from the site
5 map, if a site map is detected.

1 28. The program of instructions as claimed in claim 27, wherein the
2 address comprises a uniform resource locator (URL) associated with the site home.

1 29. The program of instructions as claimed in claim 16, wherein the step of
2 determining the site home for the network site further comprises:
3 retrieving a hypertext markup language (HTML) <Header> metatag associated
4 with the site page;
5 determining if the hypertext markup language (HTML) <Header> metatag
6 includes a site home tag for identifying the site home for the network
7 site.

1 30. The program of instructions as claimed in claim 16, wherein the step of
2 receiving a request to navigate from a site page to the site home of the network site
3 comprises detecting invocation of a site home navigation control.

1 31. An information handling system, comprising:
2 a processor for executing a program of instructions on the information handling
3 system;
4 a memory coupled to the processor for storing the program of instructions executable
5 by the processor; and
6 a communication device for coupling the information handling system to an
7 information network;
8 the program of instructions for configuring the information handling system to
9 determine and navigate to a site home of a network site in the information
10 network from a site page within the network site.

1 32. The information handling system as claimed in claim 31, further
2 comprising a display for displaying information to a user of the information handling
3 system, said display capable of displaying a graphical user interface to the user
4 wherein the graphical user interface includes a site home navigation control for
5 allowing the user to request navigation to the site home.

1 33. The information handling system as claimed in claim 31, wherein the
2 program of instructions is capable of configuring the information handling system for
3 locating the address of the site home by identifying a characteristic name assigned to
4 the site home.

1 34. The information handling system as claimed in claim 33, wherein the
2 characteristic name is provided by a <Title/> tag contained within a hypertext markup
3 language (HTML) <Header> metatag associated with the site page.

1 35. The information handling system as claimed in claim 33, wherein the
2 characteristic name comprises at least one of index.htm, index.html, default.htm,
3 default.html, home.htm, and home.html.

1 36. The information handling system as claimed in claim 31, wherein the
2 program of instructions is capable of configuring the information handling system for
3 locating a site home tag for identifying a site home of the network site.

1 37. The information handling system as claimed in claim 31, wherein the
2 program of instructions is capable of configuring the information handling system for
3 locating the address of the site home by parsing the address of the site page into the
4 one or more address components wherein one of the parsed address components
5 comprises the address of the site home.

1 38. The information handling system as claimed in claim 37, wherein the
2 addresses of the site page and site home comprise a uniform resource locator (URL).

1 39. The information handling system as claimed in claim 31, wherein the
2 program of instructions is capable of configuring the information handling system for
3 locating the address of the site home by parsing the address of the site page into the
4 one or more address components and comparing each of the parsed address
5 components to an index of stored site home addresses wherein the parsed address
6 component matching a stored site home address comprises the address of the site
7 home.

1 40. The information handling system as claimed in claim 39, wherein the
2 addresses of the site page and site home comprise a uniform resource locator (URL).

1 41. The information handling system as claimed in claim 31, wherein the
2 program of instructions is capable of configuring the information handling system for:
3 detecting if a site map exists for the network site; and
4 interrogating the site map to identify an address of the site home from the site
5 map, if a site map is detected.

1 42. The information handling system as claimed in claim 41, wherein the
2 addresses of the site page and site home comprise a uniform resource locator (URL).

1 43. A method for locating and navigating to a site home of a network site
2 in an information network from a site page within the network site, comprising:
3 displaying the site page within a network browser display of a network
4 browser;
5 receiving a request to navigate from a site page to the site home of the network
6 site, the request being provided in response to a user selecting a button provided in the
7 browser display; *Re*
8 determining *a* site home for the network site; and
9 wherein a site home is found for the network site, navigating to the site home
10 in response to the received request so that the site home is displayed
11 within the network browser display.

1 44. The method as claimed in claim 1, further comprising:
2 providing, as part of a browser display, a graphical user interface button
3 configured to receive requests to navigate the site home of the network site.

1 45. The program of instructions as claimed in claim 16, further
2 comprising:
3 providing, as part of a browser display, a graphical user interface button
4 configured to receive requests to navigate the site home of the network site.

1 46. The information handling system as claimed in claim 31, wherein the
2 program of instructions provides, as part of a browser display, a graphical user
3 interface button configured to receive requests to navigate the site home of the
4 network site.